

**EXHIBIT D**

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11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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14 UNITED STATES OF AMERICA, ) No. CR-07 - 366 VRW  
15 Plaintiff, )  
16 vs. ) **DECLARATION OF**  
17 MARCUS WHITFIELD, ) **DONECIA COLVIN**  
18 Defendant. )  
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20 I, Donecia Colvin, declare under penalty of perjury that the following statements are true  
21 and correct to my best information and belief.  
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23 1. I am 15 years old and live with my mother at 1855 Sunnydale Ave., San Francisco, California.  
24 I am in the tenth grade at Principal Center Collaborative School, which is a school for kids with  
25 special problems and who are under the probation department.  
26 2. I have a brother Marcus Whitfield, who lives with his girlfriend Cavia Daniels in Marin City,  
27 California. Marcus comes to visit us to make sure we go to school, and sometimes he and Cavia  
28 will spend the night with us.  
29 3. At approximately 11:30 p.m. on April 29, 2007, I was in my bedroom and heard a loud knock

1 on the door. I looked out through the upstairs window, and saw two San Francisco police  
2 officers with their hands on their guns. The officers told me that they needed to search the house,  
3 and told me to come down, open the door and let them in. I let the police into the house because  
4 I was scared and because the police told me to let them in to search the house. They never told  
5 me I could refuse to let them in. They had their hands on their guns the entire time.

6 4. Once inside, I told the officers that my mother was not home. The most my mother has ever  
7 let me stay alone at night is one day. I did not want to let them in because my mother has told me  
8 that I am not supposed to let strangers into the house. They asked me some questions about my  
9 mother and whether she often left me at home. They asked for her phone number, which I did  
10 not have.

11 5. The police asked me if my brother was Marcus Whitfield, and I said yes. They asked me if he  
12 lived at my house, and I told them that he and his girlfriend stayed there sometimes in an upstairs  
13 bedroom. The officers told me to take them to the bedroom, which I did. Once in the room, they  
14 told me to lift up the two mattresses on the bed. I told them I did not want to do that because it  
15 was not my room. They then told me again to lift up the mattress, which I did. There was a gun  
16 under the mattress.

17 6. I never gave the police permission to search my mother's house. They told me to let them  
18 search, and I followed their orders.

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20 Dated: July 17 2007

  
Donecia Colvin

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